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110TH CONGRESS }
2d Session }

SENATE

{ REPORT
110-494

REQUIRING THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY TO CONDUCT A STUDY OF THE FEASIBILITY OF INCREASING CONSUMPTION IN THE UNITED STATES OF CERTAIN ETHANOL-BLENDED GASOLINE

SEPTEMBER 24 (legislative day, SEPTEMBER 17), 2008.—Ordered to be printed

Mrs. BOXER, from the Committee on Environment and Public Works, submitted the following

R E P O R T

[To accompany S. 1828]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 1828) to require the Administrator of the Environmental Protection Agency to study the feasibility of increasing consumption in the United States of certain ethanol-blended gasoline, reports favorably thereon with an amendment, and recommends that the bill, as amended, do pass.

PURPOSES OF THE LEGISLATION

S. 1828 would require the Administrator of the Environmental Protection Agency to study the feasibility of increasing consumption in the United States of ethanol-blended gasoline with levels of ethanol of not less than 10% and not more than 40%.

GENERAL STATEMENT AND BACKGROUND

With the increase in the production and use of ethanol in the transportation sector, it is important for lawmakers and policymakers to have additional information on the feasibility of increasing consumption in the United States of ethanol-blended gasoline with levels of ethanol of not less than 10% and not more than 40%, also known as “mid-level ethanol blends,” as well as the impacts of the increased use of such fuels on the economy, the environment, engines, and public safety.

SECTION-BY-SECTION ANALYSIS

*Section 1. Study of increased consumption of ethanol-blended gasoline with higher levels of ethanol**Subsection (a) In general*

Subsection (a) requires the Administrator of the Environmental Protection Agency, in cooperation with the Secretaries of Energy, Agriculture, and Transportation, after providing notice and an opportunity for public comment, to study the feasibility of increasing consumption in the United States of ethanol-blended gasoline with levels of ethanol of not less than 10% and not more than 40%.

Subsection (b) Study

Subsection (b) requires that the study evaluate: (1) production and infrastructure constraints on increasing consumption; (2) the economic, market, and energy impacts of state and regional differences in ethanol blends; (3) the economic, market, and energy impacts on gasoline retailers and consumers of separate and distinctly labeled fuel storage facilities and dispensers; (4) the environmental impacts of mid-level ethanol blends on evaporative and exhaust emissions from on-road, off-road, and marine engines, recreational boats, vehicles, and equipment; (5) the impacts of mid-level ethanol blends on the operation, durability and performance of on-road, off-road, and marine engines, recreational boats, vehicles, and equipment; and (6) the safety impacts of mid-level ethanol blends on consumers that own and operate such engines or equipment.

Subsection (c) Report

Subsection (c) requires the Administrator to submit the report to Congress no later than 18 months from enactment of this Act.

Subsection (d) Authorization of appropriations

Subsection (d) authorizes the appropriation of \$1,000,000 to carry out this Act.

LEGISLATIVE HISTORY

S. 1828 was introduced by Senator Inhofe. The bill was read twice and referred to the Senate Committee on Environment and Public Works. The Committee met on September 17, 2008, when S.1828 was ordered favorably reported as amended by voice vote. The Committee adopted, by unanimous consent, an amendment proposed by Senator Boxer that removed a technical amendment in subsection (e) to the Clean Air Act section 211(f)(4), a sentence that was recently amended in the Energy Independence and Security Act enacted in December 2007, after S. 1828 was introduced.

HEARINGS

The Committee did not hold hearings on S. 1828 during the 110th Congress.

ROLLCALL VOTES

There were no rollcall votes. The Committee on Environment and Public Works ordered S. 1828 reported favorably by voice vote,

after it was amended, by unanimous consent, by an amendment proposed by Senator Boxer that removed a technical amendment in subsection (e) to the Clean Air Act section 211(f)(4), a sentence that was recently amended in the Energy Independence and Security Act enacted in December 2007, after S. 1828 was introduced.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b)(2) of rule XXVI of the Standing Rules of the Senate, the Committee states that there are not expected to be significant costs to private entities under this legislation.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the Committee finds that S. 1828 would impose no Federal intergovernmental unfunded mandates on State, local or tribal governments.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

SEPTEMBER 24, 2008.

Hon. BARBARA BOXER,
Chairman, Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1828, a bill to require the Administrator of the Environmental Protection Agency to conduct a study of the feasibility of increasing consumption in the United States of certain ethanol-blended gasoline.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Susanne S. Mehlman.

Sincerely,

PETER R. ORSZAG.

Enclosure.

S. 1828—A bill to require the Administrator of the Environmental Protection Agency to conduct a study of the feasibility of increasing consumption in the United States of certain ethanol-blended gasoline

S. 1828 would require the Environmental Protection Agency (EPA) to conduct a study to test the feasibility of increasing the consumption of ethanol-blended gasoline, containing between 10 percent and 40 percent ethanol. The legislation also would authorize the appropriation of \$1 million for EPA to conduct the study, which must be completed not later than 18 months after enactment. Assuming appropriation of the authorized amount, CBO estimates that implementing this legislation would cost \$1 million over the 2009–2010 period. Enacting the bill would not affect direct spending or revenues.

S. 1828 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Susanne S. Mehlman. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.

